

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
<i>Plaintiff</i>)	
)	NO. 1:09-CR-19
v.)	<i>Collier/Carter</i>
)	
MISTY LYNN SMITH)	
<i>Defendant</i>)	

ORDER

Magistrate Judge William B. Mitchell Carter filed a report and recommendation recommending the Court: (1) accept Defendant Misty Lynn Smith's plea of guilty to Count One of the Bill of Information; (2) adjudicate Defendant guilty of the charges set forth in Count One of the Bill of Information; (3) defer a decision on whether to accept the plea agreement until sentencing; and (4) find Defendant shall remain on bond until sentencing in this matter (Court File No. 9). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 9) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Count One of the Bill of Information is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Bill of Information;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing;
and
- (4) Defendant **SHALL REMAIN** on bond until sentencing in this matter which is

scheduled to take place on **Thursday, June 4, 2009 at 2:00 p.m.**

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE